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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,383	07/13/2000	Marc S. Casalaina	21113-04968	3220
7590	02/20/2004		EXAMINER	
Rand Gard, Esq Carr & Ferrell, LLP 2225 East Bayshore Road Suite 200 Palo Alto, CA 94303			TRAN, PHILIP B	
			ART UNIT	PAPER NUMBER
			2155	
			DATE MAILED: 02/20/2004 10	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
	CASALAINA, MARC S.	
Examiner	Art Unit	
Philip B Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 13 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-34 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-34 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

***Response to Amendments***

1. This office action is in response to the Amendment filed on December 12, 2003. Claims 22-34 have been newly added. Therefore, pending claims 1-34 are presented for further examination.

***Claim Rejections - 35 U.S.C. § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 5-34 are rejected under 35 U.S.C. § 102(e) as being anticipated by Banga et al (Hereafter, Banga), "Optimistic Deltas for WWW Latency Reduction", In Proc. 1997 SENIX Technical Conf., pp. 289-303, Anaheim, CA, January, 1997.

Regarding claim 1, Banga teaches a method for updating a configuration page on a user side of an Internet based configuration system without having to contact a server side of the configuration system, the method comprising a responsive to the user side receiving a user input that is associated with delta configuration page information available at the user side, retrieving the delta configuration page information, and updating the configuration page based on the delta configuration page information (i.e., sending delta page for updating the

changes from the proxy cache to client without making contact with the content provider) [see Abstract and Pages 295-297].

Regarding claim 2, Banga further teaches the method of claim 1, wherein the delta configuration page information is comprised of a control delta that represents changes in a control of the configuration page as a result of the user input (i.e., deltas controlling based upon client request) [see Page 295].

Regarding claim 3, Banga further teaches the method of claim 1, wherein the delta configuration page information embodies preprocessed configuration engine computations that are responsive to the user input (i.e., computing the delta) [see Page 295].

Regarding claims 5-6, Banga further teaches the method of claim 1, wherein the updating step is performed by a process that is embedded in the configuration page and the delta page information is embedded in the configuration page [see Pages 295-296].

Regarding claims 7-8, Banga teaches a method for transmitting product configuration information generated by a server side of an Internet-based configuration system to user side of the configuration system, the method comprising a generating a configuration page that allows a user to provide a user input to the configuration system, associating delta configuration page

information with the configuration page, and transmitting the configuration page and the delta configuration page information to the user side from the server side (i.e., sending delta page for updating the changes from the proxy cache to client) [see Abstract and Pages 295-297].

Claims 9-10 are rejected under the same rationale set forth above to claims 5-6.

Claims 11-12 are rejected under the same rationale set forth above to claims 2-3.

Regarding claim 13, Banga further teaches the method of claim 7 further comprising transmitting a process for updating the configuration page with the delta configuration page information to the user side from the server side [see Abstract].

Claims 14, 16, 18, 20 and 21 are rejected under the same rationale set forth above to claim 7.

Claim 15 is rejected under the same rationale set forth above to claim 11.

Claims 17 and 19 are rejected under the same rationale set forth above to claim 1.

Claims 22-23 are rejected under the same rationale set forth above to claim 2.

Claim 24 is rejected under the same rationale set forth above to claim 1.

Claim 25 is rejected under the same rationale set forth above to claim 2.

Claim 26 is rejected under the same rationale set forth above to claim 7.

Claim 27 is rejected under the same rationale set forth above to claim 11.

Claims 28-29 are rejected under the same rationale set forth above to claim 10.

Claim 30 is rejected under the same rationale set forth above to claims 7 and 13.

Regarding claims 31-32, Banga further teaches wherein the delta page information is embedded in the received new page and is received before the new page [see Pages 295-296].

Claims 33-34 are rejected under the same rationale set forth above to claims 10-11.

#### ***Claim Rejections - 35 U.S.C. § 103***

4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Banga et al (Hereafter, Banga), "Optimistic Deltas for WWW Latency Reduction", In Proc. 1997 SENIX Technical Conf., pp. 289-303, Anaheim, CA, January, 1997 in view of Sutcliffe et al (Hereafter, Sutcliffe), U.S. Pat. No. 6,253,216.

Regarding claim 4, Banga does not explicitly teach the method of claim 1, wherein the updating step further comprises layering the delta configuration page information that is associated with the user input into the configuration page via Dynamic HTML. However, the use of dynamic HTML is well-known in the art as disclosed by Sutcliffe [see Col. 8, Lines 24-65]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement dynamic HTML because it would have enhanced the user to register and update personalized information on the web [see Col. 8, Lines 37-39].

### ***Response to Arguments***

Applicants' arguments have been fully considered but they are not persuasive because of the following reasons : Banga teaches a method and system for updating a configuration page on a user side of an Internet based configuration system without having to contact a server side of the configuration system, the method comprising a responsive to the user side receiving a user input that is associated with delta configuration page information available at the user side, retrieving the delta configuration page information, and updating the configuration page based on the delta configuration page information. For example, sending delta page for updating the changes from the proxy cache to client without making contact with the content provider. Transferring optimistically data that may be out of date and then sending either subsequent confirmation that the data is current or a delta to change the older version to the current one. In addition, if both sides of the slow link already store the same older version, just

the delta need to be transferred to update it. Thus, it significantly reduce the latency of traffic over the network [see Abstract and Pages 295-297].

Therefore, the examiner asserts that Banga teaches or suggests the subject matter broadly recited in independent claims. Claims 2-6, 8-13, 22-23, 25, 27-29 and 31-34 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth above. Accordingly, claims 1-34 are respectfully rejected.

***Other References Cited***

6. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Frayman et al, U.S. Pat. No. 6,687,816.
- B) Blake, "Delta Service in a Mobil File System Client Cache ", IEEE, 1998.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT  
Philip Tran  
Art Unit 2155  
Feb 18, 2004

*Hosain Alam*

**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**